

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

ERNEST MUNOZ,

Defendant.

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CRIMINAL NO. 10-126

CIVIL NO. 12-4917

**ORDER**

**AND NOW**, this 16th day of January, 2013, upon consideration of the Defendant Ernest Munoz's "Motion Under § 2255 to Vacate, Set Aside or Correct Sentence By a Person in Federal Custody" (Doc. 53), and Plaintiff, the United States of America's, Response in Opposition, it is hereby **ORDERED** that the Motion is **DENIED** and Defendant's claims are dismissed with **PREJUDICE**.

BY THE COURT:

/s/ Robert F. Kelly

ROBERT F. KELLY  
SENIOR JUDGE